GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Labour, Factories, Boilers & Insurance Medical Services Department – Andhra Pradesh Shops and Establishments Act, 1988 - Grant of exemption to all retail enterprises from sections 7, 9, 12, 23, 31 and 37 of the Act to keep open every day of the year for a period of Five (5) years – Orders – Issued.

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LABOUR FACTORIES BOILERS & INSURANCE MEDICAL SERVICES (Labour.I) DEPARTMENT

G.O.Ms.No.32 **Dated:31.10.2022**

Read the following:

1. G.O.Ms.No.11, Industries and Commerce (P&I) Department, Dated:11.01.2016.
2. G.O.Ms.No.26, LET&F (Lab.I) Department, Dt:24.05.2016.
3. G.O.Ms No 60, Industries and Commerce (P&I) Department Dated:15.07.2021.
4. From the Commissioner of Labour, Andhra Pradesh, Vijayawada, e-file No:LAE03-22021/43/2022-I-LBRCOMR, Dt:31.10.2022.

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ORDER:

The following notification shall be published in the Extra Ordinary Issue of the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred under sub-section (4) of section 73 of the Andhra Pradesh Shops and Establishments Act, 1988 (Andhra Pradesh Act 20 of 1988), the Government of Andhra Pradesh hereby grant exemption to all retail enterprises from sections 7, 9, 12, 23, 31 and 37 of the said Act to allow to keep open all the retail enterprises every day of the year for a period of five years from the date of issue of this notification subject to the following conditions:

1. Retail enterprise is a "shop" as defined under section 2 (21) of the Andhra Pradesh Shops and Establishments Act, 1988.
2. Retail enterprises shall be allowed to stay open every day of the year provided that the employees are given compensatory, compulsory weekly holiday on a preferential basis without any deduction of benefits, monetary and otherwise. List of such holidays for a month shall be placed on notice boards in advance.
3. Working hours of the employees shall be a maximum of 8 hours per day and not more than 48 hours in a week. Manpower deployment details shall be added to the application for registration by the employer, which is now online under the Integrated Registration Act, 2015.

4. Record of overtime shall be maintained in wages register separately in respect of the employees who worked beyond normal working hours and wages for overtime shall be paid to all eligible employees at twice the ordinary rate of wages.
5. The employees working on a national, festival or other holiday shall be given a compensatory holiday with wages at twice the ordinary rate of wages for work on a holiday. Compensatory holiday to such employees shall be given within thirty days from the date of holiday.
6. Retail enterprises shall be allowed to operate between 6 AM and 11 PM IST, provided employees work in a minimum of two shifts with a minimum of one hour changeover period, subject to the condition that the employer shall furnish the shift-wise employee details specifying weekly holiday for each of the employees.
7. Employment of women shall be permitted in all shifts, subject to the enterprises ensuring safe and secure working environment and secure conveyance from workplace to place of residence. The employer shall be solely responsible for ensuring the above till women employees reach respective place of residence.
8. Retail enterprises are allowed to offer part-time employment subject to the working hours for part time employees being expressly specified. Minimum per hour wage rate shall be proportionately determined in accordance with minimum monthly wage rate specified under Minimum Wages Act. Retail unit cannot engage more than 25% of its employees as part time employees. This would be subject to the enterprises strictly adhering to laws regarding child labour and other similar applicable laws
9. Wages and any other remuneration of all employees shall be paid only by way of remittance in the bank account of the employee.
10. All employees will be provided with appointment letters and a copy shall be furnished on line, to the Inspector having jurisdiction.
11. EPS & ESI contributions of both employee as well as employer shall be remitted every month.
12. Retail enterprises are allowed to maintain record like wages register, muster roll in respect of the employees in electronic form which shall be accessible online to the inspector under the Act.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADSH)

ANIL KUMAR SINGHAL
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

The Commissioner, Printing, Stationery and Stores Purchase, Andhra Pradesh, Vijayawada for publication in the Extra-ordinary issue of Andhra Pradesh Gazette.

The Commissioner of Labour, Andhra Pradesh, Vijayawada.

All Collectors, through Commissioner of Labour, Andhra Pradesh, Vijayawada.

The Special Chief Secretary to Government, Industries and Commerce Department, Velagapudi.
The Director, Industries and Commerce, Mangalagiri.
The Andhra Pradesh Chambers of Commerce & Industry, Chamber Road, Gandhi Nagar, Vijayawada - 520003.

Copy to:

The Secretary to Government of India, Ministry of Labour & Employment, Shram shakti Bhavan, New Delhi.
The OSD to the Hon'ble Minister (LFB&IMS), Government of Andhra Pradesh.
The P.S. to Special Chief Secretary to Government, LFB&IMS Department.
SF/Sc.

//FORWARDED::BY ORDER//

G. Gurnaprasad
SECTION OFFICER